

Message Text

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PAGE 01 NAIROB 05967 151118Z

17

ACTION EB-07

INFO OCT-01 AF-06 EUR-12 NEA-10 ISO-00 L-03 FAA-00 DOTE-00

SS-15 NSC-05 H-02 PA-02 PRS-01 USIE-00 SP-02 CAB-05

CIAE-00 COME-00 DODE-00 INR-07 NSAE-00 TRSE-00 IO-10

OIC-02 SSO-00 INRE-00 NSCE-00 /090 W

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O R 150837Z JUL 75

FM AMEMBASSY NAIROBI

TO SECSTATE WASHDC IMMEDIATE 3992

AMEMBASSY LONDON

AMEMBASSY ADDIS ABABA

AMEMBASSY CAIRO

AMEMBASSY OSLO

UNCLAS NAIROBI 5967

FROM FRANKLIN WILLIS, ASSISTANT LEGAL ADVISOR, DOS

E.O. 11652: N/A

TAGS: EAIR, PORG (WILLIS, FRANKLIN K.)

SUBJECT: DIPLOMATIC CONFERENCE ON AIR LAW; WILLIS ITINERARY

REFTELS: A) OSLO 2873 (NOTAL). B) STATE 164229 (NOTAL)

1. SUMMARY: COMMENTS ON NORWEGIAN PROPOSAL--WILLIS ITINERARY. ACTION REQUESTED AS NOTED PARAGRAPHS 5, 6, 7, 9. END SUMMARY.

2. COMMENT ON NORWEGIAN PROPOSAL: IT APPEARS TO FOLLOW, BASICALLY, OUR "OUTLINE APPROACH" ON SDRS: A) IT ACCEPTS EFFECT OF 2 U.S. DOLLAR DEVALUATIONS SINCE 1971, GIVING CURRENT GUATEMALA LIMIT OF ABOUT \$120,000 (POINT 1 OF U.S. OUTLINE); B) VALUATION OF SDRS IS DETERMINED BY IMF (POINT 2 OF OUR OUTLINE) - THOUGH LANGUAGE "AS MODIFIED FROM TIME TO TIME" PROBABLY REQUIRES GREATER PRECISION; C) NON-IMF COUNTRIES DETERMINE CONVERSION OF SDRS
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PAGE 02 NAIROB 05967 151118Z

INTO THEIR CURRENCY (POINT 3 OF U.S. OUTLINE).

PROPOSAL IS BROADER THAN OURS, IN THAT IT COVERS HAGUE AND WARSAW, BUT THIS MAY BE TACTICALLY WISE. WHILE ONE MAY QUARREL WITH THE LANGUAGE OF THE PROPOSAL IN SOME RESPECTS, IT SEEMS TO BE LAID OUT IN A MANNER WELL SUITED TO OBTAIN BROADER KIND OF SPONSORSHIP. PROPOSAL IS NARROWER THAN OURS, IN THAT IT DOES NOT COVER GUATEMALA CARGO PROVISIONS AT ALL. HOWEVER, SINCE NORWAY IS NOW TAKING LEAD ON SDRS, PERHAPS USG COULD PRODUCE SEPARATE PROPOSAL ON THIS ISSUE ALONE.

3. THE ONE POINT IN THE PROPOSAL I BELIEVE IT WOULD BE VERY ADVANTAGEOUS TO CHANGE BEFORE DRAFT IS FINALIZED WOULD BE TO ROUND OFF THE SDRS USING 15 GOLD FRANCS ; 1 SDR FORMULA. THIS WOULD REDUCE CONFUSION AS TO THE REASON SUCH ODD NUMBERS APPEAR, WOULD FAITHFULLY REFLECT THE FORMULA USED AT GUATEMALA (THE CONFERENCE USED 1 U.S. DOLLAR TO EQUAL 15 GOLD FRANCS, AND, AT THIS TIME, 1 U.S. DOLLAR EQUALLED 1 SDR), AND WOULD AVOID RISK THAT NUMBERS NOW APPEARING IN NORWEGIAN DRAFT WOULD BECOME THE FINAL FIGURES ADOPTED AT MONTREAL. IF THE LATTER BECAME REALITY, WE HAVE THE DISADVANTAGES THAT ALL COMPUTATIONS OF THE LIMIT FIGURE WOULD BE MORE COMPLICATED, AND IT ADDS STILL ANOTHER UNNECESSARY ISSUE REQUIRING JUSTIFICATION TO THE WARSAW-COMPLEX POTPOURRI. AS WELL, IT FRANKLY LOOKS SILLY, ESPECIALLY INASMUCH AS THE CONVENTION PROVIDES FOR SUMS TO BE ROUNDED OFF IN NATIONAL CURRENCIES; WE OUGHT AT LEAST ROUND OFF THE SUMS WHICH EXPRESS THE LIMITS FROM THE START.

4. FURTHER CLASSIFICATION ON TWO POINTS IS REQUIRED.
A) HOW DOES NORWAY VIEW RELATIONSHIP OF THEIR PROPOSAL TO ORIGINAL U.S. INITIATIVE? I.E., DO THEY WANT USG ONLY TO INDICATE WHETHER WE WILL FORMALLY CO-SPONSOR? SHOULD WE PRESS THEIR PROPOSAL WITH THE 25 OR 50 COUNTRIES WE HAVE ALREADY APPROACHED? SHOULD WE LIMIT OUR CONTACT TO INDICATING TO THE 25 THAT NORWEGIAN PROPOSAL TAKES THE PLACE OF OURS, AND THAT NORWEGIAN GOVERNMENT WILL BE IN

FURTHER CONTACT WITH THEM? B) IS THE "DRAFT" IN FACT A FINAL PRODUCT? THAT IS, IS NORWAY INTENDING OR UNCLASSIFIED

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PAGE 03 NAIROB 05967 151118Z

PREPARED TO MODIFY THE DRAFT BASED ON COMMENTS COMING IN FROM STATES? I ASSUME NO SPECIAL DRATING SESSION OF CO-SPONSORS IS CONTEMPLATED, WHICH WAS BASIS FOR INTRA-EUROPEAN MEETING REQUEST THAT NORWAY PRODUCE A DRAFT, BUT WOULD HOPE THAT, AT A MINIMUM, CHANGE TO ROUND OFF SDR FIGURES COULD BE ACCOMPLISHED.

5. TO DATE, KENYAN GOVERNMENT HAS BEEN NON-COMMITTAL

ABOUT U.S. 3 POINT PROPOSAL. I WOULD INTEND IN MEETING WITH BHULLAR (REFTEL B) TUES., TO INDICATE NORWEGIAN PROPOSAL HAS NOW REPLACED OURE EXCEPT FOR POINT 3, WHICH U.S. MAY PURSUE AS SEPARATE PROPOSAL, AND TO EMPHASIZE NEED FOR BROAD SUPPORT. IN MEETING WITH SHINWANI, CAIRO, ON SUNDAY, WOULD USE SAME APPROACH, UNLESS DEPT. ADVISES OTHERWISE.

6. FOR LONDON, OSLO: IF DEPT. CONCURS, QUESTIONS AND ASSUMPTIONS SET OUT IN PARA 4 AND APPROACH IN PARA 5 SHOULD BE DISCUSSED WITH KEAN AND BRUZELIUS AT EARLIEST POSSIBLE MOMENT SO WE CAN DETERMINE NATURE OF OUR FOLLOW-ON WITH THE 25 COUNTRIES. APPRECIATE EMBASSY LONDON ARRANGING ACCOMODATIONS FOR ME SUN. AND MON. NIGHTS AT CARING HOTEL OR, IF FULL, BRITANNIA.

7. FOR CAIRO: WOULD INTEND TO GO AHEAD WITH MEETING WITH SHINWANI ON SUNDAY MORNING AS SCHEDULED, FOLLOWING APPROACH DESCRIBED PARA 5, ELABORATING ON ANY POINTS NECESSARY. HOPEFULLY, REPORTS FROM LONDON AND OSLO WILL BE RECEIVED BEFORE THEN SO WE HAVE A COMPLETE PICTURE; EVEN IF NOT, I BELIEVE MEETING WOULD BE USEFUL. APPRECIATE EMBASSY ARRANGING ACCOMODATIONS FRI. AND SAT. NIGHTS FOR ME.

8. FLIGHTS CONFIRMED AS FOLLOWS: LV NAIROBI ET 784 WED., 16 JULY, 8:30 FOR ADDIS; LV ADDIS AF 488 FRI., JULY 18, 15:25, ARRIVE CAIRO 18:45; LV CAIRO BA 98 SUN., JULY 20, 17:50, ARRIVE LONDON 20:00; LV LONDON PAA 107 TUES., JULY 22, 10:30, ARRIVE WASH. 13:40. (MONDAY IN LONDON ON LEAVE.) I WILL BE IN TO OFFICE TUES. AFTERNOON.

9. SUGGEST AN IGIA MEETING ON SEPT. AIR LAW CONFERENCE BE UNCLASSIFIED

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PAGE 04 NAIROB 05967 151118Z

SET UP FOR THURS. OR FRI. ALSO, I ASSUME AIR CARRIERS HAVE BY NOW SUBMITTED DOMESTIC SUPPLEMENT AGREEMENT TO CAB FOR SECTION 412 APPROVAL, ALTHOUGH I HAVE NOT SEEN IT REPORTED ANYWHERE IN PRESS.
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